

REMARKS

By this Amendment, claim 1 has been amended. Claims 16 has been added. Accordingly, claims 1, 3, 4 and 15-16 are pending for examination. Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

Rejections under 35 U.S.C. § 112

In the pending Office Action, the Examiner rejected claims 1, 3, 4 and 15 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. In particular, the Examiner stated that "the connection detecting unit is recited as being powered by the fuel cell, however, there is no support for this language in the presently filed specification. It is noted that the fuel cell unit includes not only the DMFC as a power source but also includes the secondary cell 23. Therefore either of these sources could provide power and the specification does not recite which source is used."

Applicants respectfully disagree with the Examiner's allegation. However, solely in an effort to expedite the successful examination of the present application, Applicants have amended claim 1 to clarify the subject matter of the present invention. The amended claim 1 recites, *inter alia*, "a connection detecting module configured to detect a presence or absence of a connection with an electronic apparatus, the electronic apparatus being operable using electric power supplied from the fuel cell unit, the connection detecting module being powered by the power source module." The power source module includes the fuel cell as recited in claim 1.

Applicants believe that these amendments address the Examiner's concern. In particular, these amendment have clarified that the recited electronic apparatus is operable using electric power supplied from the fuel cell unit. This feature is sufficiently described in the

as-filed Specification. For example, the as-filed Specification discloses, in pg. 4, lines 19-21, that "[t]he fuel cell unit 2, which is a power supply unit for supplying power to operate the electronic apparatus 1".

In addition, the above amendments have clarified that the recited connection detecting module is powered by the power source module including the fuel cell. This feature is also fully described in the as-filed Specification. For example, Figure 4 and the as-filed Specification, in pg. 7, lines 6-21, disclose that the microcomputer 21 detects the presence or absence of the connection with the electronic apparatus 1 and functions as a power supply controller in the fuel cell unit 2. Thus, operating power from the fuel cell unit 2 is supplied to each section of the fuel cell unit 2 including the microcomputer 21 itself.

For at least these reasons, Applicant submits that claim 1 of the present invention were sufficiently described in the specification at the time the application was filed. Dependent claims 3, 4 and 15 depend from independent claim 1 and are patentable for the same reasons as claim 1. Accordingly, the immediate withdrawal of the written description rejection under §112 is respectfully requested.

Rejections under 35 U.S.C. § 102 (b) & 103 (a)

As discussed in Applicants' 01/05/2009 Response to Non-Final Office Action, Applicants submit that Harris and Ozeki, whether taken alone or in reasonable combination, teach each and every element of the claims. Accordingly, the rejections under 35 U.S.C. § 102(b) and § 103(a) are improper and should be withdrawn.

Conclusion

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

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By: _____

Respectfully Submitted,


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